

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RETHA JOHNSON,

Plaintiff,

v.

MARY DOLLINGER, ERIC FETCHER,
DANIEL KUHN, LAMONT PENDLETON,
FRANCES HARRISON BLY, and LEE ANN
MONTGOMERY,

Defendants.

CIVIL ACTION

No. 18-4751

ORDER

AND NOW, this 12th day of April, 2019, upon consideration of Defendant Lee Ann Montgomery's ("Officer Montgomery") Motion to Dismiss, Defendants Mary Dollinger, Eric Fetcher, Daniel Kuhn, and Lamont Pendleton's (the "Montgomery County Defendants") Motion to Dismiss, and Plaintiff Retha Johnson's Response in Opposition, it is hereby **ORDERED** that Officer Montgomery's Motion (Doc. No. 6) is **GRANTED**, and the Montgomery County Defendants' Motion (Doc. No. 7) is **GRANTED**.

IT IS FURTHER ORDERED that, with respect to Officer Montgomery:

1. Count I of the Complaint is **DISMISSED WITH PREJUDICE**;
2. Count II is **DISMISSED WITH PREJUDICE**;
3. Count III is **DISMISSED WITH PREJUDICE**;
4. Count IV is **DISMISSED WITHOUT PREJUDICE**;
5. Count V is **DISMISSED WITH PREJUDICE**; and
6. Count VI is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that, with respect to the Montgomery County

Defendants:

1. Count I of the Complaint is **DISMISSED WITHOUT PREJUDICE**;
2. Count II is **DISMISSED WITHOUT PREJUDICE**;
3. Count III is **DISMISSED WITH PREJUDICE**;
4. Count IV is **DISMISSED WITHOUT PREJUDICE**;
5. Count V is **DISMISSED WITH PREJUDICE**; and
6. Count VI is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Johnson shall have **FIFTEEN DAYS** from the date of this Order to file an amended complaint.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE